

**REMARKS**

Claims 1 through 14 are pending in this application. Claims 1 and 8 are hereby amended, and new claims 15 and 16 are hereby added.

Claims 1 through 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,366,780 to Obhan ("Obhan patent") in view of U.S. Patent No. 6,330,451 to Sen, et al. ("Sen, et al. patent").

Claims 1 and 8 as amended provide interfacing with a resource controller to interactively specify and/or modify a minimum probability of communication service availability to a plurality of the communication devices. Support for the above recitation is provided, by examples, at page 15, line 4, through page 17, line 3, of the specification.

In contrast, the Obhan patent describes a system and method for blocking certain calls when load levels increase. Of course, the present invention also provides for blocking of calls. However, the present invention allows an operator of a communication system to specify and/or modify a minimum probability that calls will not be blocked. Moreover, the present invention provides a system and method for interactively specifying and/or modifying the minimum probability. The Obhan patent, and likewise the Sen, et al. patent, do not describe or suggest interfacing with a resource controller to interactively specify and/or modify a minimum probability of communication service availability to a plurality of the communication devices, as required by amended claims 1 and 8. Therefore, amended claims 1 and 8 distinguish patentably from the Obhan patent, the Sen, et al. patent, and the combination of these patents.

Claims 2 through 7 and 9 through 14 depend from and include all of the limitations of independent claims 1 and 8 as amended. Therefore, claims 2 through 7 and 9 through 14 distinguish patentably from the Obhan patent, the Sen, et al. patent, and the combination of these patents for the reasons stated above for amended claims 1 and 8.

In view of the above, reconsideration and withdrawal of the rejection of claims 1 through 14 are respectfully requested.

New claims 15 and 16 are presented to more clearly cover a certain aspect of the present invention. In particular, claims 15 and 16 provide a system parameter to limit a maximum number of registered subscribers in order to specify and/or modify the minimum probability of communication service availability. Support for the above recitation is provided at page 17, lines 15 through 23, of the specification. Although the Obhan patent is aware of registered subscribers, the system and method of the Obhan patent merely uses this information to estimate potential load and location (see col. 12, lines 1 through 9). The system and method of the Obhan patent, and likewise the Sen, et al. patent, do not limit the number of registered subscribers. Therefore, new claims 15 and 16 distinguish patentably from the Obhan patent, the Sen, et al. patent, and the combination of these patents. Allowance of these claims is believed warranted.

### CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope


of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The first page of the attached page(s) is captioned "**VERSION WITH MARKINGS TO SHOW CHANGES MADE**".

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. A Notice of Allowance is respectfully solicited. Should the Examiner have any questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,  
Dorenbosch, Jheroen Pieter

Please forward all correspondence to:  
Motorola, Inc.  
Law Department (HDW)  
600 North US Highway 45, AN475  
Libertyville, IL 60048

 12/18/02  
Hisashi D. Watanabe Date  
Attorney for Applicant(s)  
Registration No. 37,465  
Telephone: (847) 523-2322  
Facsimile: (847) 523-2350

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

Claims 1 and 8 are amended and new claims 15 and 16 are added as follows:

1. (Twice Amended) A communication system that provides communication services to a plurality of communication devices over one or more radio frequency (RF) channels, comprising:  
a resource controller that controls at least one communication resource used to provide the communication services to the plurality of communication devices; and  
an operator interface that interfaces with the resource controller to interactively [and explicitly] specify a minimum probability of communication service availability to the plurality of the communication devices, wherein the specified [availability] minimum probability is obtained by controlling the at least one communication resource.

8. (Twice Amended) A method for providing communication services to a plurality of communication devices over one or more radio frequency (RF) channels, comprising:  
controlling at least one communication resource used to provide the communication services to the plurality of communication devices; and  
interfacing with a resource controller to interactively [and explicitly] modify a minimum probability of communication service availability to the plurality of the communication devices.

15. (New) The method of claim 1, wherein the operator interface is capable of adjusting a system parameter corresponding to a maximum number of registered subscribers to modify the minimum probability of communication service availability to the plurality of communication devices.

16. (New) The communication system of claim 8, wherein interfacing with the resource controller includes adjusting a system parameter corresponding to a maximum number of registered subscribers to modify the minimum probability of communication service availability to the plurality of communication devices.